

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 1798.50US05

Brewer et al.

Confirmation No.: 8486

Application No.: 10/760,040

Examiner: Scott M. Getzow

Filed: January 16, 2004

Group Art Unit: 3762

For: METHOD AND APPARATUS FOR DELIVERING A BIPHASIC DEFIBRILLATION
PULSE WITH VARIABLE ENERGY

STATEMENT TO DISQUALIFY COMMONLY OWNED PATENT OR PUBLISHED
APPLICATION AS PRIOR ART PURSUANT TO MPEP §706.02 (L)(2)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Application 10/760,040 and U.S. Patent No. 5,891,173 to Brewer were, at the time the invention of Application 10/760,040 was made, owned by, or subject to an obligation of assignment to, Cardiac Science, Inc.

The assignment information for Application 10/760,040 can be found at Reel/Frame 013280/0068, recorded 09/23/2002 (containing assignment of parent application 10/078735 and continuation applications), and for U.S. Patent No. 5,891,173 to Brewer at Reel/Frame 013280/0068, recorded 09/23/2002.

Respectfully Submitted,



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